

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

SJR 8 (Arreguín)
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ID

SUBJECT

The Renewing Immigration Provisions of the Immigration Act of 1929

DIGEST

This resolution makes various findings regarding the importance and value of immigrants to the state, and declares support for the federal Registry bills as a just approach to solving the nation's broken immigration system.

EXECUTIVE SUMMARY

California is home to about 10.6 million immigrants, accounting for 22% of the foreign-born population nationwide. In 2023, 27% of the state's population was foreign born, the highest of any state. Of California's foreign-born population, about 45% are non-citizens, and about 1.8 million are undocumented. According to a report from the U.S. Department of Homeland Security, nearly 80 percent of undocumented immigrants in 2022 had been in the U.S. for more than a decade. Of all of the undocumented individuals in the United States as of 2022, about 48 percent lived in California. Unfortunately, Congress has failed to pass comprehensive immigration reform for decades, and the immigration system remains broken without any avenue for legalization for undocumented individuals who have lived in the U.S. for a considerable amount of time. Two measures, collectively called the Registry bills, were introduced in Congress in 2023 to update a little-known immigration law that permits individuals who have continuously resided in the U.S. at least since 1972 and demonstrate good moral character to obtain lawful permanent residence.

This joint resolution makes various findings related to the value and importance of immigrants to the state, and declares support for the Registry bills. It is sponsored by the Coalition for Humane Immigrant Rights LA (CHIRLA). The Committee received no timely letters of opposition to this resolution.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Provides, through various authorities, that the federal government has the exclusive authority to regulate immigration and naturalization. (U.S. Const., Art. I, § 8, clauses 3 and 4; *Arizona v. United States* (2012) 567 U.S. 387, 394.)
- 2) Grants the Attorney General of the United States the discretion to grant lawful admission for permanent residence to undocumented immigrants who meet the following requirements:
 - a) they are not inadmissible under Section 212 (a)(3)(E) or Section 212 (a) of the Immigration and Nationality Act insofar as it relates to criminals, procurers and other immoral persons, subversives, violators of the narcotic laws or smugglers of aliens;
 - b) entered the United States before January 1, 1972;
 - c) have established continuous residence in the United States since entry;
 - d) are of good moral character; and
 - e) are not ineligible for citizenship or are not deportable under Section 237 (a)(4)(B) of the Immigration and Nationality Act. (8 U.S.C. § 1259.)

This resolution:

- 1) Declares that:
 - a) The United States is a nation founded on the principles that all people are created equal and with the promise of freedom for all;
 - b) Our strength as a nation has always been greater when we welcome newcomers;
 - c) California has the highest number of immigrants in the country;
 - d) It has been nearly 40 years since any immigration reform has been passed by the federal government, and the current immigration system is unable to meet the needs of the present;
 - e) California is home to nearly 10,000,000 immigrants, the majority of whom have lived in the United States for more than 10 years;
 - f) Undocumented immigrants contribute significantly to California's economy;
 - g) One in 10 California workers is undocumented, and that undocumented immigrants contribute \$54.4 billion in state and local taxes;
 - h) California would benefit directly from Congress updating the immigration laws because it has been shown that providing citizenship to undocumented immigrants boosts the economy and increases the job market;
 - i) In 2023, Congressional leaders introduced the "Renewing Immigration Provisions of the Immigration Act of 1929" bill that allows undocumented

- people living continuously in the United States for at least seven years the ability to apply for lawful permanent residency, from which approximately 8,000,000 undocumented people may benefit;
- j) 80 percent of Californians believe that there should be a pathway to citizenship for undocumented immigrants;
 - k) Immigrant communities continue to organize around passing immigration reform, and that the Northern California Coalition for Just Immigration Reform completed a three-day walk from Vacaville to Sacramento this month to support the registry bills; and
 - l) Passing immigration reform that recognizes the contributions and humanity of immigrants is in line with the state's and country's values.
- 2) Resolves the following by the Senate and Assembly of the state:
- a) that a workable, humane, and just approach to solving the nation's broken immigration system would benefit California and the United States as a whole, and that the Registry bills should be supported; and
 - b) that the Secretary of the Senate transmit this resolution to the author for appropriate distribution.

COMMENTS

1. Author's statement

According to the author:

California has the highest number of migrants in the country and it has been nearly 40 years since the federal government passed an immigration reform bill. Our current immigration system is unable to meet the needs of the present day. One in 10 workers in California is undocumented and undocumented folks contribute around \$51.4 billion dollars in state and local taxes.

If passed, the "Renewing Immigration Provisions of the Immigration Act of 1929" would update existing law, otherwise known as the "Registry" to renew a more direct path to permanent protection making individuals eligible for lawful permanent residence. The bill reforms the Registry to allow immigrants who have been present in the United States at least seven years and meet other criteria to apply for a green card.

Passing immigration reform that recognizes the contributions and humanity of immigrants is in line with our values as a state and as a country. We must be a voice to the voiceless in the decision making process, especially during our current Federal Administration.

2. Most undocumented individuals have lived in the United States for a considerable amount of time and are valuable members of their communities

California is home to about 10.6 million immigrants, accounting for 22% of the foreign-born population nationwide.¹ In 2023, 27% of the state's population was foreign born, the highest of any state. Of California's foreign-born population, about 45% are non-citizens, and about 1.8 million are undocumented. There are an estimated 133,000 undocumented children in California public K-12 schools, and one in five California children live in a mixed-status household where at least one member is not a U.S. Citizen.² According to a report from the U.S. Department of Homeland Security, nearly 80 percent of undocumented immigrants in 2022 had been in the U.S. for more than a decade.³ Of all of the undocumented individuals in the United States as of 2022, about 48 percent lived in California.⁴

Immigrants are valuable members of their communities who also contribute considerably to the economy and tax rolls. In 2022, immigrants paid \$382.9 billion in federal taxes and \$196.2 billion in state and local taxes, including considerable amounts into social security and Medicare, public benefits which most immigrants are ineligible to receive.⁵ In California, it is estimated that immigrants contributed \$51.4 billion in state and local taxes in 2021.⁶ Immigrants also contribute to economic growth, with the Congressional Budget Office estimating that immigrants will add \$7 trillion to the economy over the next 10 years and \$8.7 trillion in growth in the Gross Domestic Product (GDP).⁷ In fact, economists estimate that providing a pathway to legal status to undocumented individuals would contribute \$1.2 trillion to the U.S. economy over ten years, and an extra \$184 billion per year in federal, state, and local taxes.⁸ By 2017 estimates, about 1.75 million workers in California are undocumented, accounting for nearly one in ten California workers.⁹

¹ Marisol Cuellar Mejia et al., Fact Sheet: Immigrants in California, Public Policy Institute of California (Jan. 2025), available at <https://www.ppic.org/publication/immigrants-in-california/>.

² Migrant Policy Institute, "Profile of the unauthorized population: California" (accessed Apr. 13, 2025), <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/CA#>; Office of Digital Services, "Immigration and California families," Ca.gov (accessed Apr. 13, 2025), <https://www.ca.gov/immigration/>.

³ Karen Aho, "Are more undocumented immigrants living in the U.S. now? Here's what the numbers say," *American Immigration Council* (Jun. 7, 2024) <https://www.americanimmigrationcouncil.org/blog/undocumented-immigrants-living-in-united-states-now/>.

⁴ *Id.*

⁵ Kevin Appleby, "The importance of immigrant labor to the US economy," *Center for Migration Studies* (Sept. 2, 2024) <https://cmsny.org/importance-of-immigrant-labor-to-us-economy/>.

⁶ State of California, "Immigration and California families," (accessed Jul. 6, 2025) <https://www.ca.gov/immigration/>.

⁷ *Id.*

⁸ *Id.*

⁹ Joseph Hayes & Laura Hill, *Undocumented Immigrants in California*, Public Policy Institute of California (Mar. 2017), <https://www.ppic.org/publication/undocumented-immigrants-in-california/>.

Beyond these clear economic and tax roll numbers, immigrants are important members of their communities who are entitled to dignity, due process, and a fair immigration system. Many immigrants live in mixed status families, in which at least one member of the family is a U.S. citizen. Being undocumented and under the constant threat of deportation and potential family separation has significant, negative impacts on undocumented Californians and their families. Research has shown that many immigrant youth experience high levels of mental health conditions like anxiety, depression, and post-traumatic stress due to fears of immigration enforcement and separation from their family due to immigration enforcement.¹⁰

An undocumented person may have entered the United States without any visa or immigration status, or they may have entered with an immigration status that has since expired. A person with a visa that is expiring is generally expected to renew or apply to adjust their status to a new category of immigration status, or depart the United States. However, many visas do not allow for renewals or are only designed to be temporary, and eligibility for and availability of permanent immigration status – called lawful permanent residency (LPR), or a green card – is incredibly limited. Even those who qualify for a green card may have to wait a decade or even two decades due to backlogs and administrative delays to actually be able to receive it. Without immigration reform from Congress, the United States' immigration system continues to be broken and fails to provide meaningful opportunities for undocumented students and those who wish to stay in the United States to do so with immigration status.

3. Immigration law and the Registry

For much of the nation's history, Congress did not regulate immigration to the United States. Near the end of the Nineteenth Century and early Twentieth Century, as xenophobia and racism toward individuals of Asian descent grew in the U.S., Congress enacted a number of restrictive immigration laws that set numerical quotas, or limits, on immigrants from particular countries and that outright banned immigration from certain countries. The most infamous of these laws was the Chinese Exclusion Act of 1882. The current immigration system was largely formed through the Immigration and Nationality Act of 1952, which established a comprehensive system for regulating immigration and removed explicitly race-based restrictions from the immigration laws.

Despite considerable organizing and advocacy for immigration reform over the last few decades, Congress has failed to deliver any considerable immigration reform since the 90s. The last major immigration reform legislation to be enacted by Congress was the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), which generally placed more restrictions on immigration by expanding the bases by which a

¹⁰ Randy Capps & Michael Fox, "How the fear of immigration enforcement affects the mental health of latino youth," Migration Policy Institute (Dec. 2020), <https://www.migrationpolicy.org/news/how-fear-immigration-enforcement-affects-mental-health-latino-youth>.

noncitizen may be deported, increasing the relationship between immigration law and criminal law, creating the expedited removal process, restricting asylum, and increasing immigration enforcement at the border.

The last major immigration reform legislation that provided a new opportunity for undocumented individuals to obtain legal status was the Immigration Reform and Control Act of 1996 (IRCA), which created an “amnesty” program to provide a pathway to legal status for millions of undocumented immigrants who had been living in the U.S. since at least 1982.

IRCA also adjusted the “registry,” a provision of immigration law that allows certain noncitizens who are undocumented or have temporary status to obtain lawful permanent status if they have been living in the United States since a specified date. The registry was originally created in 1929, and permitted any noncitizen who entered the U.S. prior to June 3, 1921, had continuously resided in the country since that date, demonstrated “good moral character,” was not deportable, and who had no lawful admission to apply for and obtain lawful permanent status.¹¹ Since 1929, the registry has been amended and updated multiple times. It was updated in 1958 to remove the requirement that individuals not be subject to a basis for deportation, instead excluding only those who had previously been granted LPR status or who were ineligible to be admitted into the U.S. on certain criminal or national security grounds. In 1965, the required date of residence was updated to 1948, and in 1986, IRCA updated the date to January 1, 1972.

The registry program has not been updated since IRCA; thus, it continues to require any potentially-eligible immigrant to have resided in the United States since 1972 in order to obtain its benefits. Considering that anyone who could meet this requirement is at least 53 years old, and that it has been almost 40 years since IRCA was passed, virtually no individuals are eligible for the registry at this time.

4. The most recent efforts to update the registry

In recent years, as comprehensive immigration reform efforts have stalled, there has emerged a movement to update the registry. Doing so could provide many undocumented individuals in the U.S. the opportunity to receive LPR status, simply by virtue of the fact that they have lived in the U.S. for a considerable amount of time and meet the requirements for having good moral character. If, for example, the registry date was updated to 2010, estimates are that 6.8 million undocumented individuals would potentially be eligible to apply for LPR status through the registry.¹²

¹¹ American Immigration Council, *Legalization Through “Registry,”* (Sept. 28, 2021), <https://www.americanimmigrationcouncil.org/fact-sheet/legalization-through-registry/>.

¹² *Id.*

5. This Resolution supports updating the registry

Considering this, U.S. Representative Zoe Lofgren (CA – 18) introduced a bill in Congress in 2023 that would update the registry. (H.R. 1511 (Lofgren, 2023).) Rather than update the registry date to a new date, as have all previous laws that have amended the registry program, H.R. 1511 would replace the registry date with a requirement that eligible individuals have resided in the U.S. for at least seven years. An estimated 8.3 million individuals could be eligible under H.R. 1511's revised registry provisions.¹³ While the bill was introduced, it did not pass out of committee or receive a vote. On July 27, 2023, Senator Padilla (CA) introduced S. 2606, which is substantially similar to Representative Lofgren's bill. It likewise did to receive a vote. Both bills are collectively called the "registry bills."

This resolution, after making a variety of findings related to the importance and value of immigrants to California and the United States, calls for the support of the Congressional bills that update the registry.

SUPPORT

Coalition for Humane Immigrant Rights LA (CHIRLA) (sponsor)

OPPOSITION

None received

RELATED LEGISLATION

Pending Legislation: AJR 17 (Celeste Rodriguez, 2025) is substantially similar to this resolution and declares the Senate and Assembly's support for the bills updating the Registry. AJR 17 is currently pending before the Assembly Judiciary Committee.

Prior Legislation: None known.

¹³ Andrew Moriarty, "Priority bill spotlight: renewing immigration provisions of the Immigration Act of 1929," FWD.us (Mar. 9, 2023) <https://www.fwd.us/news/immigration-registry-bill/>.